

Topsfield Conservation Commission
Meeting of Wednesday, October 24, 2012
 Topsfield Library Meeting Room

Present: Commissioners Mark Erickson (Chair), Jennie Merrill (Vice-Chair), Jim Carroll, Jim MacDougall, Cheryl Jolley, and Rick Muka; Administrator Lana Spillman; Minutes Secretary Debbie Rogers; Selectman Liaison Dick Gandt.

Absent: Holger Luther

The meeting was called to order at 7:05 PM with a quorum present.

PUBLIC HEARING:

Continued NoI 307-0688: 78 Alderbrook Drive, (Map 68, Lot 023), Masterson/Beals Associates
 Present: Larry Beals, Beals Associates

Public Hearing NoI 307-0688: 78 Alderbrook Drive was continued to allow for consideration of potential modifications to the plan submitted to the ZBA for approval. The ZBA had no changes, closed the hearing, and approved the plan dated September 21, 2012 with conditions. The plan includes a common driveway with a house. The proposed septic system is located in the front of the lot. A major change is that the driveway will be expanded to 18 feet for adequate emergency vehicle access, and to allow a turning radius for a 35-foot fire truck. A stabilized shoulder will provide infiltration and stability on the edge. Grass pavers will stabilize some areas. Storm water management includes creating sump and infiltration areas for managing runoff from the driveway and the house. Some trees will be removed. There were no changes from the plan presented to the TCC on October 10, 2012. Beals brought in extra plans for the TCC to review. There was discussion on an earlier request from Beals to waive the entire Bylaw fee. There is considerable work involved and the TCC asked Beals to authorize the deposit of the previously submitted check for payment of the fee. Beals agreed the fee is acceptable given the complexity of the project, and authorized the deposit of the check as payment for the Bylaw fee.

A motion was made by Merrill to close the hearing. It was seconded by Jolley and passed unanimously. A motion was made by Carroll to issue an Order of Conditions with Special Conditions as discussed, under the Act and the Bylaw. Special Conditions include managing the soil by minimizing runoff, covering bare soil areas with plastic overnight, stockpiling with pre-approval by the Administrator, and using a silt fence and other erosion control barriers. The planting plan includes minimal lawn area with a conservation mix as shown on the plan, and the plantings should survive at least two years including two winters with at least 75% viability prior to a CoC request. The motion was seconded by MacDougall and passed unanimously.

Continuation NOI 307-0693: 14 Grove Street, (Map 40, Lot 013), Peterson/McKenzie Engineering

Present: Scott Henderson, McKenzie Engineering Group; Bryant and Kathleen Robinson of 16 Grove Street; Jen Collins-Brown of 15 Grove Street

A continuation of a Public Hearing for NoI 307-0693, 14 Grove Street, was held to discuss issues concerning the demolition of a single-family home and accessory structures on the lot, and the new construction of a single family home in Buffer Zone of BVW and Riverfront Area of Cleaveland Brook. Approximately 2.8 cubic yards of fill will be placed in the floodplain area for grading the septic system, and 3.3 cubic feet of fill will be removed from areas behind the proposed house to compensate. The Bylaw Fee of \$2,000.00 was submitted. Henderson

explained how the project is designed to minimize environmental impact. The final issue concerns a possible easement between 14 and 16 Grove Street. Title research by McKenzie Engineering did not find easements on the properties. Research in the Assessor's office by Spillman found that three lots were created from the original property at 14 Grove Street; later the middle lot was combined with the property at 16 Grove Street. Neighboring property owner Kathleen Robinson expressed concern about an unused well on her property that may be potentially impacted by the project. The BoH is in the process of researching the property and did not have a record of any wells within 100 feet of the proposed septic system. An abandoned well may not be under jurisdiction of Title 5. There was not a quorum of the TCC who had been present at all hearing dates, so there was not a quorum for the vote (Mullin Rule). Copies of the audio recording will be distributed to those who were absent on October 10 so that they may be eligible to vote at the next hearing date. Jolley made a motion to continue the hearing for NoI 307-0693, 14 Grove Street to November 14, 2012. MacDougall seconded and the motion passed unanimously.

RDA#2012-10: 254 Ipswich Road, (Map 21, Lot 008), Carlton/Neve-Morin Group, Inc.

Present: John Morin, of The Neve-Morin Group, Inc., representing Kathy Carlton

A Public Hearing was held to consider the RDA for a proposed new septic tank and sanitary disposal system. MacDougall recused himself from the hearing and left the room. There are wetland areas on both sides of the driveway. The entire house is located in a Buffer Zone. The raised septic design will include a pump chamber with minimal grade changes, draining away from the house. Overhead electric lines will be discontinued for this project. Jolley made a motion to close the hearing. The motion was seconded by Carroll and passed unanimously. A motion was made by Jolley to issue a negative DoA. The motion was seconded by Muka and passed unanimously.

REQUEST:

Amended Enforcement Order 9/15/08, 270 Boston Street, (Map 41, Lot 087) – continued discussion with the Albrights

Present: Pam and Bear Albright, Property Owners of 270 Boston Street

MacDougall recused himself from the discussion and left the room. The Albrights previously submitted a letter requesting to be excused from the Enforcement Order. Current issues affecting the initial Enforcement Order were discussed. The vernal pool is in good condition. The Albrights stated that approximately 25% of the 30 trees planted survived. Pam explained that a herd of at least 15 deer live on the property, causing damage to the planted trees, and some were lost to drought.

TCC discussed that there are outstanding requirements to be met and emphasized that the EO would need to be amended in order for a release from the EO to be considered. Six Buffer Zone markers need to be placed on the property. An as-built plan prepared by an engineer needs to be submitted. The TCC requested a letter from the Albrights addressing the requirements of each condition, explaining which conditions were met, identifying what remains to be done, and the proposed alternatives to modify the initial conditions.

MEETING MINUTES:

Jolley made a motion to approve the minutes from October 10, 2012 as amended. The motion was seconded by MacDougall and passed unanimously.

OTHER:

Tree Planning Subcommittee – Applicant Paul Harder

MacDougall made a motion to appoint Paul Harder to the Tree Planning Subcommittee. Merrill seconded the motion and it passed unanimously. Paul Harder will be the second member of the committee.

AOoC 2006-01: 72 Hill Street, (Map 69, Lot 016) – Status update and discussion

The information received recently was incomplete and has significant errors (e.g. incorrect address). Spillman requested a corrected submission with the trench, swale, etc. identified on the map.

Government Review Committee proposal – discussion

Spillman encouraged input from the TCC. Luther is on the committee. Gandt explained how public input contributed to ideas for this committee; and how GRC meetings help provide a basis for the Town to discuss issues. There was discussion on the potential benefits of this proposed revision of Town government, including improved communication and coordination among Town employees, committees, and the different boards.

ADMINISTRATOR’S REPORT:

Boston Street South (including at 30 Boston Street) – MA DoT

Signs are in place and the project is starting this coming week.

16 Wildes Road – The Meadows

This development is beginning to sell some units.

Ferncroft Country Club

Spillman is waiting for an update to address issues, including the sediment going into the intermittent stream near the top of the hill. Spillman will send a letter requesting an update by a specific date.

19R Pheasant Lane – Monitoring Report

Spillman and Masco senior Matt Neidhardt went on a visit of the site to document the status of the Conservation property. Abutter Brigitte O’Malley joined them for most of the visit. There was discussion on setting up a kiosk and working with Greenbelt to provide trail information for visitors.

Winter Moth Outreach

Jolley contacted the Conservation Club at the High School and received positive feedback for this project. Winter moth information is available on the TCC website. The moths will soon be active at night and this is a good time to start the program.

MACC Erosion Control Workshop that was held in Topsfield

Carroll attended and felt it was an informative and worthwhile workshop.

ADJOURNMENT:

A motion was made by Erickson at 9:05 PM to adjourn the meeting. It was seconded by Merrill and passed unanimously.

Respectfully submitted,

Debbie Rogers
Minutes Secretary

Accepted at the TCC meeting on November 14, 2012

Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Commission constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Commission as to the completeness or accuracy of such statements.